HONOURABLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.26505 OF 2005

Between:

A.P.Jeeva Raksha Sangam (Regd.), R.Agraharam, Guntur, rep. by its Secretary & Others.

.. PETITIONERS

AND

The Chief Secretary, Government of Andhra Pradesh & Another.

.. Respondents

:: ORDER ::

Counsel for the Petitioners : Sri Shyam S.Agrawal, appeared on behalf of Smt. Jayasree Sarathy.

Counsel for the Respondents : GP FOR HOME.

23rd December, 2005

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Per G.S. Singhvi, CJ

The petitioner-association has invoked the jurisdiction of this Court under Article 226 of the Constitution of India for ordering the respondents to take steps to curb slaughter of Cows and Calves at least for 15 days preceding Bakri-eid festival falling on 11.01.2006. Another prayer made in the writ petition is for directing respondents to install check posts at entry points in towns and villages for prevention of entry of Cows and Calves into the cattle shandies, market committees in the entire State for a period of 15 days preceding Bakri-eid, by giving due publicity through audio and visual means and distribution of pamphlets.

In the affidavit filed in support of the writ petition, it has been averred that even though the legislature has enacted A.P. Cow Slaughter Prohibition and Animal Preservation Act, 1977 (hereinafter referred to as 'the 1977 Act'), the Executive apparatus of the State has failed to take steps to check slaughter of Cows and Calves. According to the deponent, the number of Cows and Calves slaughtered in violation of the provisions of the 1977 Act substantially increases just before the festival of Bakri-eid and the officers concerned have failed to prevent the blatant violation of the mandate of law.

In the counter affidavit filed by Director General and

Inspector General of Police, it has been averred that the Police authorities have been taking all steps for enforcing the provisions of the 1977 Act. Along with the affidavit, copies of the circulars issued from time to time for taking preventive measures against the slaughtering of Cows and Calves have been annexed.

We have heard learned counsel for the parties and perused the affidavits filed on behalf of the petitioner and the respondents and have also gone through the circular orders issued by the Government and the departmental authorities for enforcing the provisions of the 1977 Act.

In our opinion, the general allegations made by the petitioner that the administration is lax in enforcing the provisions of the 1977 Act just before the Bakri-eid festival, cannot be accepted and no general direction can be given by the Court for taking extra steps for enforcing the provisions of the 1977 Act. In our view, the authorities concerned are duty-bound to take steps for enforcement of the 1977 Act in its true spirit, de hors any particular festival. However, in order to ensure that the people are made aware about the prohibition contained in the 1977 Act, the department should publish the contents of circulars issued from time to time once at least in three months. Such publication be made in two leading newspapers one in vernacular and one in English.

With the above directions, the writ petition is disposed of.

G.S. SINGHVI, CJ

23rd December, 2005

R. SUBHASH REDDY, J

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